

REMARKS

The Applicant's claimed invention is neither taught or suggested by the cited art. Briefly, the cited art and exemplary claimed subject matter are generally described as follows:

U.S. Patent No. 6,333,976 B2 to *Lesley*

Lesley provides a network-based solution for a subscriber's own prepayment and own use of prepay telecommunications services. For example, *Lesley* permits a customer to discontinue use of conventional prepaid telephone calling cards. The network-based solution assigns a record in a database to the customer. A record in the database tracks the customer's account number and an associated prepaid monetary value. When the customer calls from a public telephone, the customer can request a telecommunication service, and a monetary amount in the record can be decreased in accordance with the service rendered. *Lesley* does not disclose or suggest a solution for a subscriber or user to prepay a monetary amount for the use by or services rendered to another subscriber or user.

U.S. Patent No. 6,185,545 B2 to *Resnick et al.*

Resnick et al. provides a network-based solution for a subscriber's prepayment of the subscriber's own payment account that is set-up with a third-party merchant or another commercial entity. For example, *Resnick et al.* provides a payment system for a customer to make commercial transactions on his own behalf with a variety of merchants via a financial network. Likewise, *Resnick et al.* does not disclose or suggest a solution for a subscriber or user to prepay a monetary amount for the use of another subscriber or user.

Furthermore, *Resnick et al.* utilizes a financial network that utilizes completely different network elements than a telecommunications network. Even when *Resnick et al.* is combined with the teaching of *Lesley*, this combination of references does not disclose or suggest the Applicant's claimed invention.

Exemplary Claimed Subject Matter

Inventive uses of a conventional billing message allow a caller to conduct a transaction using a telecommunication system. Previously, a user generally could not use the telecommunications systems except for conventional telecommunications services. For example, a parent could not "buy a \$50 credit" to be applied to a son's or daughter's telephone bill and to be charged as a \$50 debit to the parent's telephone bill. One of the reasons such a transaction could not be conducted is because there was no means of communication between the user and the billing system of the telecommunications system. Without a means of communication, the user could not pass on the details of the desired transaction, and the billing system could not carry out the transaction.

The problem of the lack of communication between the user and the billing system is solved by the exemplary claimed invention's inclusion of transaction information in a billing message. In exemplary embodiments, the billing message may be posted to or obtained by the billing system from the telecommunications system.

In sum, the exemplary claimed inventions use billing messages in a novel manner to effect a transfer of information and conduct a transaction.

I. THE REJECTION UNDER 35 U.S.C. § 102(E)

The Office Action rejected Claims 1-7, 10-12, 14-23, 26-27, 29, 32-33, and 34-37 under 35 U.S.C. § 102(e) as being unpatentable. Specifically, the Office Action rejected these claims as being anticipated by U.S. Patent No. 6,333,976 to *Lesley*. Office Action, p. 2, paragraph 2. Claims 1, 10, 18, 26, and 34-36 are independent claims. Since one or more claimed elements in the independent claims are not taught or disclosed by *Lesley*, the Assignee submits that the cited reference does not teach or disclose the invention of Claims 1-7, 10-12, 14-23, 26-27, 29, 32-33, and 34-37.

Generally, *Lesley* omits elements of the Applicant's independent claims that relate to a subscriber's monetary prepayment for an account number other than the account number of the subscriber. *Lesley* also teaches away from these claim elements when the disclosure in *Lesley* states only the subscriber account number and the prepay account number identifying the subscriber's subscription to the network service can be stored in an associated database. Col. 7, lines 16-23. The differences between *Lesley* and each of the Applicant's independent claims are addressed in turn below.

Independent Claim 1

For the claimed system recited in amended Claim 1, *Lesley* does not specifically disclose the amended element of: "causing the intelligent network element to obtain a telecommunications account number and a transaction amount from the communication, the telecommunications account number corresponding to a second telecommunications account with respect to which the transaction is to be conducted in the billing system." (underlining added). Furthermore, Applicants' amended Claim 1 distinguishes between a first telecommunications account and a second telecommunications account. *Lesley* does

not disclose any circumstance when the account differs from the calling line number associated with the calling line number account. *Lesley* discloses only a “subscriber account number field” for use with a transaction. *Lesley* is silent about prepaying monetary amounts to an account of another customer or user. In fact, *Lesley* defines the subscriber account number to be used as follows: “The subscriber account number corresponds to the number used to identify a subscriber’s basic subscription to the communications network.” Col. 7, lines 1-15. It is clear that the invention in *Lesley* was intended to be used for the prepayment of a subscriber’s own telecommunication services and not for the prepayment or credit of another subscriber’s account. Since the amended elements of Claim 1 are not disclosed, amended Claim 1 should be allowable over the cited art.

Independent Claim 10

For the claimed method recited in Claim 10, *Lesley* does not specifically disclose the element of: “obtaining an account number and a transaction amount from the communication, the account number corresponding to an account with respect to which a transaction is to be conducted, the account differing from a calling line number account associated with the calling line number” (underlining added). Again, *Lesley* does not disclose any circumstance when the account differs from the calling line number associated with the calling line number account. *Lesley* discloses only a “subscriber account number field” for use with a transaction. *Lesley* is silent about prepaying monetary amounts to an account of another customer or user. In fact, *Lesley* defines the subscriber account number to be used as follows: “The subscriber account number corresponds to the number used to identify a subscriber’s basic subscription to the

communications network.” Col. 7, lines 1-15. It is clear that the invention in *Lesley* was intended to be used for the prepayment of a subscriber’s own telecommunication services and not for the prepayment or credit of another subscriber’s account. Therefore, since all of the elements of Claim 10 are not disclosed, Claim 10 should be allowable over the cited art.

Independent Claim 18

For the claimed system recited in amended Claim 18, *Lesley* does not specifically disclose the amended element of: “in response to obtaining of the billing message, making a determination that the billing message includes an indication that a transaction is to be conducted with respect to a telecommunications account in the system, the telecommunications account differing from a calling line number account associated with the calling line number” (underlining added). Again, *Lesley* does not disclose any circumstance when the account differs from the calling line number associated with the calling line number account. *Lesley* discloses only a “subscriber account number field” for use with a transaction. *Lesley* is silent about prepaying monetary amounts to an account of another customer or user. In fact, *Lesley* defines the subscriber account number to be used as follows: “The subscriber account number corresponds to the number used to identify a subscriber’s basic subscription to the communications network.” Col. 7, lines 1-15. It is clear that the invention in *Lesley* was intended to be used for the prepayment of a subscriber’s own telecommunication services and not for the prepayment or credit of another subscriber’s account. Therefore, since all of the elements of amended Claim 18 are not disclosed, amended Claim 18 should be allowable over the cited art.

Independent Claim 26

For the claimed system recited in Claim 26, *Lesley* does not specifically disclose the telecommunication system recited in the preamble of: "In a telecommunications system wherein a billing message is created with respect to a communication, wherein the billing message is further created with respect to a calling line number account corresponding to a calling line number associated with the communication, and wherein the billing message is obtained by a billing system having access to the calling line number account and to other accounts, a method for execution of a transaction in the billing system between the calling line number account and one of the other accounts to which the billing system has access" (underlining added). Again, *Lesley* does not disclose any circumstance when the account differs from the calling line number associated with the calling line number account. *Lesley* discloses only a "subscriber account number field" for use with a transaction, *Lesley* is silent about prepaying monetary amounts to an account of another customer or user. In fact, *Lesley* defines the subscriber account number to be used as follows: "The subscriber account number corresponds to the number used to identify a subscriber's basic subscription to the communications network." Col. 7, lines 1-15. It is clear that the invention in *Lesley* was intended to be used for the prepayment of a subscriber's own telecommunication services and not for the prepayment or credit of another subscriber's account. Therefore, since all of the elements of Claim 10 are not disclosed, Claim 10 should be allowable over the cited art.

Independent Claim 34

For the claimed system recited in amended Claim 34, *Lesley* does not specifically disclose the amended element of: "based on the instructions from the service control point, causing the service switching point to obtain an account number and a transaction

amount from the communication, the account number corresponding to the account with respect to which the transaction is to be conducted in the billing system, the account differing from a calling line number account associated with the calling line number" (underlining added). Again, *Lesley* does not disclose any circumstance when the account differs from the calling line number associated with the calling line number account. *Lesley* discloses only a "subscriber account number field" for use with a transaction. *Lesley* is silent about prepaying monetary amounts to an account of another customer or user. In fact, *Lesley* defines the subscriber account number to be used as follows: "The subscriber account number corresponds to the number used to identify a subscriber's basic subscription to the communications network." Col. 7, lines 1-15. It is clear that the invention in *Lesley* was intended to be used for the prepayment of a subscriber's own telecommunication services and not for the prepayment or credit of another subscriber's account. Therefore, since all of the elements of amended Claim 34 are not disclosed, amended Claim 34 should be allowable over the cited art.

Independent Claim 35

For the claimed method recited in amended Claim 35, *Lesley* does not specifically disclose the amended element of: "crediting or debiting an account other than the account associated with the calling line number by the transaction amount." (underlining added). Again, *Lesley* does not disclose any circumstance when the account differs from the calling line number associated with the calling line number account. *Lesley* discloses only a "subscriber account number field" for use with a transaction. *Lesley* is silent about prepaying monetary amounts to an account of another customer or user. In fact, *Lesley* defines the subscriber account number to be used as follows: "The subscriber account

number corresponds to the number used to identify a subscriber's basic subscription to the communications network." Col. 7, lines 1-15. It is clear that the invention in *Lesley* was intended to be used for the prepayment of a subscriber's own telecommunication services and not for the prepayment or credit of another subscriber's account. Therefore, since all of the elements of amended Claim 35 are not disclosed, amended Claim 35 should be allowable over the cited art.

Independent Claim 36

For the claimed system recited in amended Claim 36, *Lesley* does not specifically disclose the amended element of: "a billing system ... for recognizing the transaction information in the billing message, and based on the recognition, for conducting the transaction based on the transaction information, wherein the SCP is operative to code the transaction amount into a field of the billing message and the account number into another field of the billing message, and wherein the billing system is operative to decode the transaction amount from the field of the billing message and account number from the another field, and to credit or debit an account other than the account associated with the account number by the transaction amount." (underlining and emphasis added). The elements of Claim 37 have been incorporated into amended Claim 36 as shown. Again, *Lesley* does not disclose any circumstance when the account differs from the calling line number associated with the calling line number account. *Lesley* discloses only a "subscriber account number field" for use with a transaction. *Lesley* is silent about prepaying monetary amounts to an account of another customer or user. In fact, *Lesley* defines the subscriber account number to be used as follows: "The subscriber account number corresponds to the number used to identify a subscriber's basic subscription to the

communications network.” Col. 7, lines 1-15. It is clear that the invention in *Lesley* was intended to be used for the prepayment of a subscriber’s own telecommunication services and not for the prepayment or credit of another subscriber’s account. Therefore, since all of the elements of amended Claim 36 are not disclosed, amended Claim 36 should be allowable over the cited art.

Dependent Claims 2-7, 11-12, 14-17, 19-23, 27, 29, and 32-33

Since these dependent claims rely upon independent claims for which reasons of patentability have been previously addressed, all of these dependent claims should also be allowable over the cited reference.

II. THE REJECTION UNDER 35 U.S.C. § 103(A)

The Office Action rejected Claims 13, 24-25, 28, and 30-31 under 35 U.S.C. § 103(a) as being unpatentable. Specifically, the Office Action rejected Claims 13, 24-25, 28, and 30-31 under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 6,333,976 to *Lesley*, and further in view of U.S. Patent No. 6,185,545 to *Resnick et al.* Office Action, p. 6, paragraph 4. Claims 13, 24-25, 28, and 30-31 are all dependent claims. Since one or more of the claimed elements in Claims 13, 24-25, 28, and 30-31 are neither taught or suggested by the combination of cited references, the Assignee submits that these dependent claims are allowable over the cited references.

The Applicants’ claimed invention is clearly distinguishable from both *Lesley* and *Resnick et al.* As described above with respect to all of the independent claims, *Lesley* omits elements of the Applicant’s independent claims that relate to a subscriber’s monetary prepayment for an account number other than the account number of the

subscriber. Even when the disclosure of *Resnick et al.* is combined with the disclosure of *Lesley*, the combination of cited references does not disclose or teach the Applicants' claimed invention. In particular, *Resnick et al.* discloses the transmission of payments from a credit card or debit card user to a point-of-sale merchant. The circumstances for implementing the transaction in *Resnick et al.* are altogether different than the circumstances for using a telecommunication network to conduct a transaction in the Applicant's claimed invention. Further, the systems and methods disclosed by *Resnick et al.* relate to financial networks (FIGs. 2, 8), and not a telecommunication network, thus the network-type elements disclosed by *Resnick et al.* are not similar to or even analogous to the telecommunication network elements in the Applicant's claimed invention.

Claim 13 is dependent from independent Claim 10. As previously discussed, Claim 10 is not disclosed by *Lesley*. *Resnick et al.* relates to a financial network, not a telecommunication network to which the Applicant's claimed invention pertains. The network elements associated with a telecommunication network are different from and not analogous to elements of a financial network. Therefore, it is respectfully submitted that dependent Claim 13 is neither suggested or taught by the combination of the cited references.

Claims 24-25 ultimately depend from independent Claim 18. As previously discussed, Claim 18 is not disclosed by *Lesley*. *Resnick et al.* relates to a financial network, not a telecommunication network to which the Applicant's claimed invention pertains. The network elements associated with a telecommunication network are different from and not analogous to elements of a financial network. Therefore, it is respectfully

submitted that dependent Claims 24-25 are neither suggested or taught by the combination of the cited references.

Claims 28, 30, and 31 ultimately depend from independent Claim 26. As previously discussed, Claim 26 is not disclosed by *Lesley*. *Resnick et al.* relates to a financial network, not a telecommunication network to which the Applicant's claimed invention pertains. The network elements associated with a telecommunication network are different from and not analogous to elements of a financial network. Therefore, it is respectfully submitted that dependent Claims 28, 30, and 31 are neither suggested or taught by the combination of the cited references.

Therefore, with respect to dependent Claims 13, 24-25, 28, and 30-31, the cited references do not suggest or teach all of the recited claim elements and these claims should be allowable over the cited references.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

AMENDMENTS IN THE CLAIMS

In accordance with 37 CFR 1.121(c), the following version of the claims as rewritten by the foregoing amendments show all the changes made relative to the previous versions of the claims.

The invention I claim is:

1. (Twice Amended) In a telecommunications system functionally interconnecting a service switching point, a service control point, and an intelligent network element, and the telecommunications system including a billing system functionally connected at least to the service control point for retrieval of billing messages, the billing system including telecommunications accounts for charging fees to subscribers with respect to telecommunications services provided to the subscribers, a method for using a communication to conduct a transaction with respect to a telecommunications account, comprising:

receiving the communication at the service switching point, the communication being associated with a calling line number associated with a first telecommunications account;

causing the service switching point to route the communication to the intelligent network element;

causing the intelligent network element to obtain a telecommunications account number and a transaction amount from the communication,

the telecommunications account number corresponding to [the] a second telecommunications account with respect to which the transaction is to be conducted in the billing system;

in response to obtaining the telecommunications account number and the transaction amount, causing the intelligent network element to provide the telecommunications account number, the transaction amount, and the calling line number associated with the second telecommunications account and the communication to the service control point;

in response to receipt of the telecommunications account number, the transaction amount, and the calling line number associated with the second telecommunications account, causing the service control point to make an assignment of the telecommunications account number, the transaction amount, and the calling line number associated with the second telecommunications account to a billing message; and

causing the billing system to retrieve the billing message from the service control point,

to note the assignment of the telecommunications account number, the transaction amount, and the calling line number associated with the second telecommunications account to the billing message, and

based on the assignment, to conduct the transaction in the billing system with respect to the second telecommunications account associated with the telecommunications account number by crediting or debiting the second telecommunications account by at least the transaction amount.

18. (Twice Amended) In a system for billing fees to subscribers for provision of telecommunications services, each subscriber having a telecommunications account in the system, the telecommunications account being associated with at least one calling line number, a method to conduct a transaction with respect to a telecommunications account in the system, comprising:

obtaining a billing message generated as a result of a telecommunications service performed with respect to a calling line number;

in response to obtaining of the billing message, making a determination that the billing message includes an indication that a transaction is to be conducted with respect to a telecommunications account in the system, the telecommunications account differing from a calling line number account associated with the calling line number; and

in response to the determination, conducting the transaction with respect to the telecommunications account.

34. (Twice Amended) In a telecommunications system functionally interconnecting a service switching point, a service control point, and an intelligent network element, and the telecommunications system including a billing system functionally connected at least to the service control point for retrieval of billing messages, the billing system including accounts for conducting transactions, a method for using a communication to conduct a transaction with respect to an account, comprising:

receiving the communication at the service switching point, the communication being associated with a calling line number;

causing the service switching point to obtain instructions regarding the communication from a service control point;

based on the instructions from the service control point, causing the service switching point to obtain an account number and a transaction amount from the communication,

the account number corresponding to the account with respect to which the transaction is to be conducted in the billing system, the account differing from a calling line number account associated with the calling line number;

in response to obtaining the account number and the transaction amount, causing the service switching point to provide the account number, the transaction amount, and the calling line number associated with the communication to the service control point;

in response to receipt of the account number, the transaction amount, and the calling line number, causing the service control point to make an assignment of the account number, the transaction amount, and the calling line number to a billing message by including the account number, the transaction amount, and the calling line number in the billing message and by posting the billing message for obtaining by the billing system; and

causing the billing system to retrieve the billing message from the service control point,

to note the assignment of the account number, the transaction amount, and the calling line number to the billing message, and

based on the assignment, to conduct the transaction in the billing system with respect to the account associated with the account number by crediting or debiting the account by at least the transaction amount.

35. (Amended) A method for executing a transaction, comprising:
receiving a communication associated with a calling line number;
obtaining a transaction amount from the communication;
coding the transaction amount and the calling line number into a billing message;
posting the billing message;
obtaining the billing message, and decoding the transaction amount and the calling line number from the billing message; and
crediting or debiting an account other than the account associated with the calling line number by the transaction amount.

36. (Amended) A system for allowing a user to initiate a transaction and have the transaction conducted, comprising:
a service switching point (SSP)
for receiving a communication from the user, and
for obtaining and acting on instructions regarding the communication;
a service control point (SCP)
for providing the instructions regarding the communication to the SSP, the instructions instructing the SSP to retrieve transaction information and to forward the transaction information to the SCP,

for including the transaction information in a billing message by assigning the transaction information to at least a field of the billing message, and

for posting the billing message for retrieval by a billing system; and
the billing system

for retrieving the billing message,

for recognizing the transaction information in the billing message, and

based on the recognition, for conducting the transaction based on the transaction information, wherein the SCP is operative to code the transaction amount into a field of the billing message and the account number into another field of the billing message, and wherein the billing system is operative to decode the transaction amount from the field of the billing message and account number from the another field, and to credit or debit an account other than the account associated with the account number by the transaction amount.

37. (Cancelled)

CONCLUSION

For at least the reasons given above, the Assignee respectfully submits that Claims 1-36 define allowable subject matter in view of the amendments and remarks made above. Further, the Assignee respectfully requests allowance of the claims and notice thereof. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact the Applicant's representative at the telephone number listed below. No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,



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